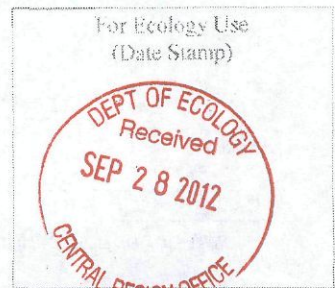




Water Resources Program

Request for Determination of Water Budget Neutrality



☐ SURFACE WATER ☒ GROUND WATER

Please ensure that the form is completely filled out.

Incomplete forms will lead to longer processing times, and may be rejected.

Section 1. APPLICANT

Applicant/Business Name: Mark and Jane Ratray	Phone No: 425-697-4626	Other No:
Address: 8720 Talbot Road		
City: Edmonds	State: WA	Zip: 98026
Email Address (optional): <u>mark@markratray.com</u>		

Contact Name (if different from above): TRACI SHALLBETTER	Phone No: (509) 674-3836	Other No: (509) 260-0037
Relationship to Applicant: Attorney for Seller Swift Water Ranch (mitigation water)		
Address: 3201 Airport Road		
City: Cle Elum	State: WA	Zip: 98922
Email Address (optional): <u>traci@shallbetterlaw.com</u>		

Section 2. STATEMENT OF INTENT

Briefly describe the purpose of your proposed project: Potable water supply for three lots/three single family residences

Anticipated length of time to complete your project: 20 years

Is this for an existing use, established prior to July 16, 2009? ___ Yes x No

If yes, when was the water first regularly and beneficially used? _____

For Ecology Use	APPLICATION NO: <u>64-35585</u>	SEPA: Exempt/Not Exempt
	Fee Paid: <u>0</u> Check No: <u>0</u>	ECY Coding: 001-001-WR1-0285-000011
Date Returned _____ By _____ Priority Date <u>09-28-2012</u> By <u>JS</u> WRIA: <u>39 Kitt</u>		

Water Use: List all proposed uses and the quantity required for each. (For example: domestic, group domestic, lawn or commercial garden, municipal water supply, stock watering or industrial.)

Purpose(s) of Use	Rate (check one box only)	Total Water Use* in Acre-Feet per Year (AF/YR) (If known)	Period of Use (Continuously or Seasonal)
	<input type="checkbox"/> Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		
Domestic –Parcel B-1		0.392	Continuously
Irrigation- Parcel B-1		0.022	Seasonal
Domestic –Parcel D-3		0.392	Continuously
Irrigation- Parcel D-3		0.022	Seasonal
Domestic –Parcel E-1		0.392	Continuously
Irrigation- Parcel E-1		0.022	Seasonal
TOTAL:		1.242	

*Total water use is the total quantity of water required for each use. (1 acre-foot = 325,851 gallons). For example calculations, located at:

<http://www.ecy.wa.gov/programs/wr/cro/wtrxchg.html>

Section 3. POINT OF DIVERSION OR WITHDRAWAL

Complete A or B, and C below

A.) If Surface Water Source	B.) If Ground Water Source
<input type="checkbox"/> Spring <input type="checkbox"/> Creek <input type="checkbox"/> River <input type="checkbox"/> Lake <input type="checkbox"/> Other: _____ Source Name: _____ Tributary to: _____ Number of proposed diversion points: _____ Do you have an existing diversion? <input type="checkbox"/> YES <input type="checkbox"/> NO	Do you have an existing well? x YES NO x Well(s) <input type="checkbox"/> Other: <u>One well on one of the three parcels that are the subject of this application</u> _____ Existing well diameter & depth: <u>6", 118 ft</u> If available, attach Water Well Report and pump test. Well Tag ID No. <u>ABP016</u> Number of proposed points of withdrawal: <u>Three (one well for each parcel), or a shared well situated on one or more of the three parcels</u>

C.) Point of Diversion/Withdrawal – Legal Description

Parcel No.	¼	¼	Section	Township	Range	County
528536	SE		26	20	16	Kittitas
121136	SE		26	20	16	Kittitas
194935	SW		25	20	16	Kittitas

Water Use: List all proposed uses and the quantity required for each. (For example: domestic, group domestic, lawn or commercial garden, municipal water supply, stock watering or industrial.)

Purpose(s) of Use	Rate (check one box only)	Total Water Use* in Acre-Feet per Year (AF/YR) (If known)	Period of Use (Continuously or Seasonal)
	<input type="checkbox"/> Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		
Domestic -Parcel B-1		0.392	Continuously
Irrigation- Parcel B-1		0.022	Seasonal
Domestic -Parcel D-3		0.392	Continuously
Irrigation- Parcel D-3		0.022	Seasonal
Domestic -Parcel E-1		0.392	Continuously
Irrigation- Parcel E-1		0.022	Seasonal
TOTAL:		1.242	

*Total water use is the total quantity of water required for each use. (1 acre-foot = 325,851 gallons). For example calculations, located at:

<http://www.ecy.wa.gov/programs/wr/cro/wtrchng.html>

Section 3. POINT OF DIVERSION OR WITHDRAWAL

Complete A or B, and C below

A.) If Surface Water Source	B.) If Ground Water Source
<input type="checkbox"/> Spring <input type="checkbox"/> Creek <input type="checkbox"/> River <input type="checkbox"/> Lake <input type="checkbox"/> Other: _____ Source Name: _____ Tributary to: _____ Number of proposed diversion points: _____ Do you have an existing diversion? <input type="checkbox"/> YES <input type="checkbox"/> NO	Do you have an existing well? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> Well(s) <input type="checkbox"/> Other: <u>One well on one of the three parcels that are the subject of this application</u> _____ Existing well diameter & depth: <u>6", 118 ft</u> If available, attach Water Well Report and pump test. Well Tag ID No. <u>ABP016</u> Number of proposed points of withdrawal: <u>Three (one well for each parcel), or a shared well situated on one or more of the three parcels</u>

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121136	SE		26	20	16	Kittitas
194935	SW		25	20	16	Kittitas

If available, GPS (Global Positioning System) device location:

Latitude: _____ N Longitude: _____ W

Datum and units (for example NAD83 and decimal degrees, etc): _____ (required for all GPS locations)

If known, enter the distances in feet from the point of diversion or withdrawal to the nearest section corner:

_____ Feet (☐ North/☐ South) and _____ feet (☐ East/☐ West)

from the (☐NW ☐SW ☐NE ☐SE ☐ _____) corner of Section _____.

NOTE: If more than one point of diversion/withdrawal, attach additional information on a separate sheet of paper. A map identifying the well location within the parcel is required for all existing wells proposed for use under this request (see below).

Attach a map of your project showing the point of diversion/withdrawal and place of use. If platted property, be sure to include a complete copy of the plat map. Please ensure that the well location and parcel number listed in Section 3 matches the well location on the site map and on the well log. If there are any differences please provide an explanation on a separate sheet of paper. Unclear well locations may cause delays in processing the request.

Section 4. WATER SYSTEM INFORMATION

Complete A or B, C, D, E and F below

A.) Domestic Water Systems only

Projected number of connections to be served:

Three

Type of connections: Single family residences (one per parcel)

(e.g., home, recreational cabin)

B.) Municipal Water Systems only

(defined under RCW 90.03.015)

Present population to be served water:

Estimate future population to be served:
_____ (20 year projection)

C.) Water System Planning

Do you have a Water System Plan approved by the Washington State Department of Health, Drinking Water Division? ☐ YES X NO

If yes, date plan was approved ____/____/____ Water System Number: _____

Name of water system: _____

Are you within the service area of an existing water system? ☐ YES ☐ NO

If yes, explain why you are unable to connect to the system: _____

D.) On-Site Septic

Will there be an on-site septic system? ☒ YES ☐ NO

If yes, please provide a copy of the property covenant that restricts or prohibits trees or shrubs over the septic drain field. ATTACHED

E.) Sanitary Sewer System

Will domestic wastewater be discharged to a sanitary sewer system? ☐ YES ☒ NO

If yes, please provide a copy of the sewer utility agreement that serves the proposed project.

F.) Irrigation

Total number of acres requested to be irrigated under this application = _____ Acres or 1500 square feet

NOTE: Outline the area to be irrigated on your attached map.

(1 acre = 43,560 square feet)

500 sf of irrigated area to be immediately around each house constructed on a parcel

Section 5. MITIGATION

To request a determination of Water Budget Neutrality under Chapter 173-539A WAC, the applicant must identify an existing trust water right or pending application to place a water right in trust. The trust water right(s) must:

- Contribute an equal or greater amount to Yakima River flow during the irrigation season, as measured at Parker.
- Have a priority date earlier than May 10, 1905.
- Be eligible to be used for instream flow protection and mitigation of out-of-priority uses.

A) Existing Trust Water Right

Please identify existing trust water right(s) for use as mitigation.

Water Right No.	Rate (check one box only)	Acre-Feet per Year (AF/YR) (If known)	Priority Date
	<input type="checkbox"/> Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		
CS4-YRB03CC2255(A)CTCL@2	0.286 CFS	24.2	JUNE 30, 1890
CS4-YRB03CC2255(B)CTCL@2	0.067 CFS	3.38	JUNE 30, 1890
CS4-YRB03CC2255(C)CTCL@2	0.056 CFS	2.84	JUNE 30, 1890
	TOTAL:	30.42	

B) Proposed Trust Water Right Application

Please identify the pending application(s) to place a water right(s) into trust for use as mitigation.

Water Right No.	Rate (check one box only)	Acre-Feet per Year (AF/YR) (If known)	Priority Date
	<input type="checkbox"/> Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		

D.) On-Site Septic

Will there be an on-site septic system? ☒ YES ☐ NO

If yes, please provide a copy of the property covenant that restricts or prohibits trees or shrubs over the septic drain field. ATTACHED

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TOTAL:		30.42	

B) Proposed Trust Water Right Application

Please identify the pending application(s) to place a water right(s) into trust for use as mitigation.

Water Right No.	Rate (check one box only)	Acre-Feet per Year (AF/YR) (If known)	Priority Date
	<input type="checkbox"/> Cubic Feet per Second (CFS) <input type="checkbox"/> Gallons per Minute (GPM)		

		TOTAL:	

C) Quantity of Trust Water Right(s) listed in Section 5 (A) and (B) Acquired for Mitigation

Please list the specific quantity in AFY of Trust Water Right(s) listed in Sections 5(A & B) that have been acquired to offset consumptive use associated with this proposed new use of groundwater: 0.137 AFY

Note: You may wish to refer to the online water use calculator for example consumptive use calculations:

<http://www.ecy.wa.gov/programs/wr/cro/wtrxchg.html>

Additional information regarding consumptive use can be found in Chapter 173-539(A)-050(3) WAC.

Section 6. PLACE OF USE

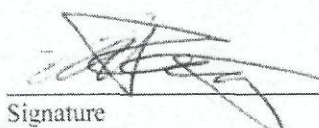
Attach a copy of the legal description of the property (on which the water will be used) taken from a real estate contract, property deed or title insurance policy, or copy it carefully in the space below.

<u>See attached.</u>						
¼	¼	Section	Twp.	Range	County	Parcel No.
SE		26	20	16	Kittitas	528536
SE		26	20	16	Kittitas	121136
SW		25	20	16	Kittitas	194935

Section 7. REQUIRED SIGNATURES

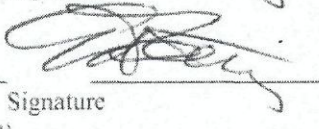
I certify that the information provided in this application is true and accurate to the best of my knowledge. I understand that in order to process my request, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though employees of the Department of Ecology may have assisted me in the preparing this application, I am fully responsible for the accuracy of the information provided.

Mark Rattray
Print Name
(Applicant or authorized representative)


Signature

9-22-12
Date

Mark Rattray
Print Name
(Land Owner, if seeking to use the ground water exemption)


Signature

9-22-12
Date

ATTACHMENTS—Mark Rattray (Parcels 528536, 121136, and 194935)

- Legal Description of Three Parcels for Place of Use
- Site Plan Showing Each of Three Parcels with Proposed Place of Use, and Location of Existing Well
- Septic Restrictive Covenant Covering Three Parcels
- Well Log for Well ABP016

Submit this form to:

DEPARTMENT OF ECOLOGY
WATER RESOURCES PROGRAM
CENTRAL REGIONAL OFFICE
15 W. YAKIMA AVE, SUITE 200
YAKIMA, WA 98902-3452

ATTACHMENTS—Mark Rattray (Parcels 528536, 121136, and 194935)

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CENTRAL REGIONAL OFFICE
15 W. YAKIMA AVE, SUITE 200
YAKIMA, WA 98902-3452

LEGAL DESCRIPTION
Rattray Parcels

Kittitas County Tax Parcel 528536.

Approximately 8.12 acres in SE $\frac{1}{4}$ of Section 26, T20N, R16E, W.M., being a portion of Parcel – B-1 of that certain survey recorded June 15, 1987 under Auditor's File 505157, Kittitas County, Washington.

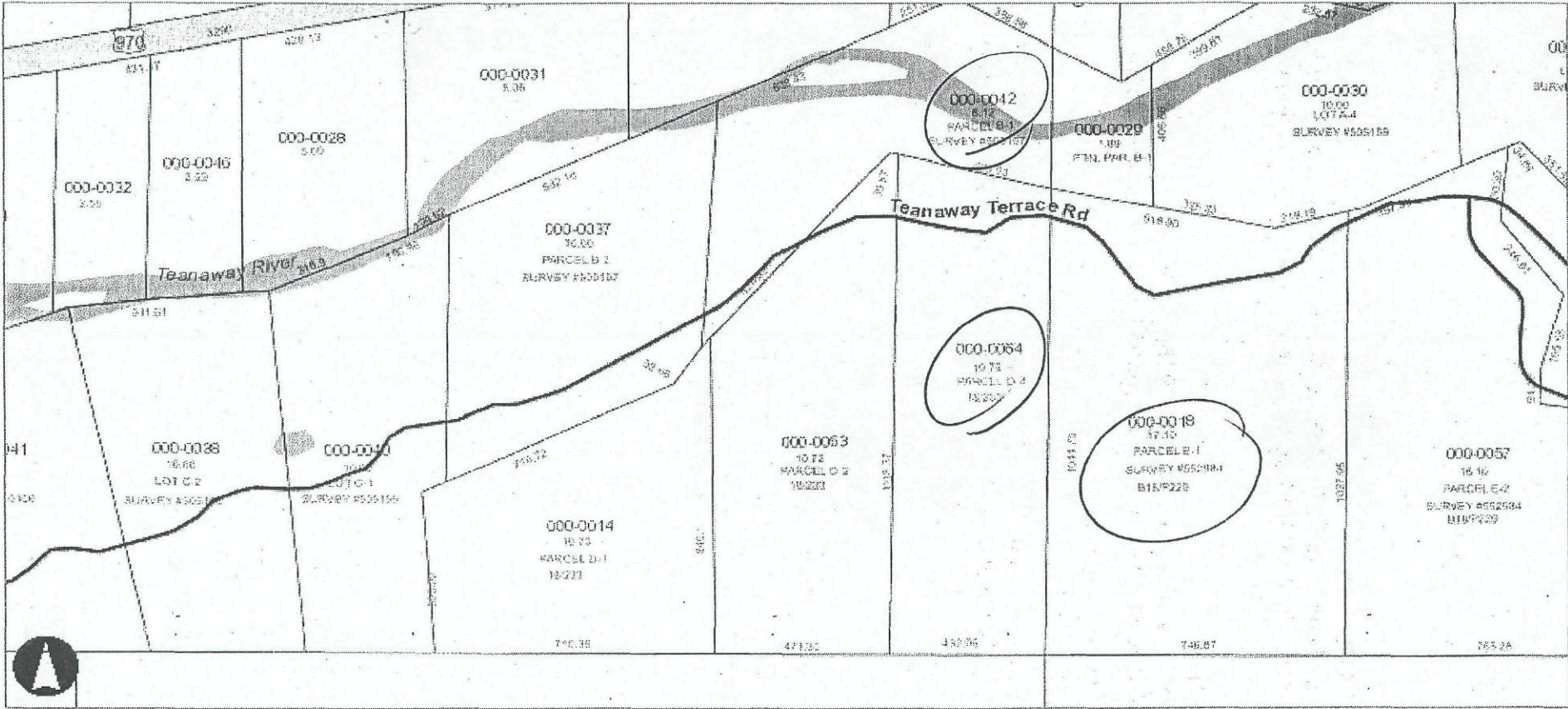
Kittitas County Tax Parcel 121136.

Approximately 10.75 acres in SE $\frac{1}{4}$ of Section 26, T20N, R16E, W.M., Parcel D-3 of Survey recorded September 25, 1992 in Book 18 of Surveys at Page 233, under Auditor's File No. 553067, Kittitas County, Washington.

Kittitas County Tax Parcel 194935.

Approximately 17.1 acres in SW $\frac{1}{4}$ of Section 25, T20N, R16E, W.M., being Parcel E-1 of that survey recorded September 23, 1992, under Auditor's File Number 552984, Book 18, Page 229, Kittitas County, Washington.

RATTRAY VICINITY MAP



Map Center: Township:20 Range:16 Section:26

Kittitas County Disclaimer

Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.



ORIGINAL PARCEL - PARCEL A OF AFN 551193

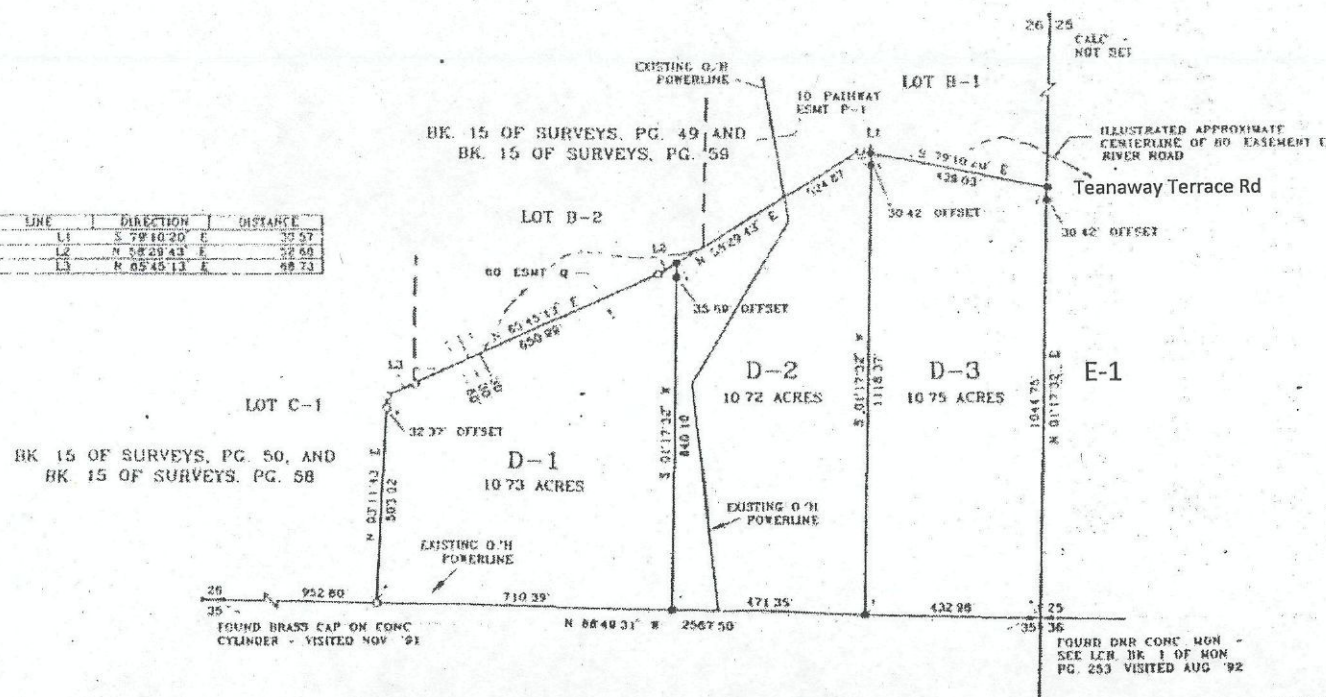
PARCEL D-1 OF THAT CERTAIN SURVEY AS RECORDED SEPTEMBER 25, 1982 IN BOOK 10 OF SURVEYS AT PAGE(S) 233, UNDER AUDITOR'S FILE NO. 552647, RECORDS OF KITTITAS COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 20 NORTH, RANGE 16 EAST, W.M., KITTITAS COUNTY, WASHINGTON

PARCEL D-2 OF THAT CERTAIN SURVEY AS RECORDED SEPTEMBER 25, 1992 IN BOOK
10 OF SURVEYS AT PAGE(S) 223 UNDER AUDITOR'S FILE NO 553067 RECORDS
OF KITTITAS COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHEAST QUARTER OF
SECTION 26, TOWNSHIP 20 NORTH, RANGE 16 EAST, WM, KITTITAS COUNTY, WASHINGTON

PARCEL D-3 OF THAT CERTAIN SURVEY AS RECORDED SEPTEMBER 25 1992 IN BOOK 18 OF SURVEYS AT PAGE(S) 233 UNDER AUDITOR'S FILE NO 553047. RECORDS OF KITTITAS COUNTY WASHINGTON, BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 20 NORTH, RANGE 16 EAST., IN KITTITAS COUNTY, WASHINGTON.

(also shows relationship to B-1 and E-1)

LINE	DIRECTION	DISTANCE
L1	S 79°10'20" E	37.57
L2	N 58°29'43" E	52.60
L3	R 05°45'13" E	88.73



FOR SECTION SUBDIVISION INFORMATION AND CORNER DOCUMENTATION, SEE THE SURVEY
RECORDED IN BOOK 18 OF SURVEYS, AT PAGES 10 & 11. BASIS OF BEARINGS AND CORNER

Rattray Plot Map for E-1

LEGAL DESCRIPTIONS

PAGE 2

PARCEL E-1 OF THAT CERTAIN SURVEY AS RECORDED SEPTEMBER 23, 1992 IN BOOK 18 OF SURVEYS AT PAGE(S) 229, UNDER AUDITOR'S FILE NO. 37294, RECORDS OF KITTITAS COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 16 EAST, W.M., KITTITAS COUNTY, WASHINGTON.

EXHIBENT 7

EASEMENT T AS DE
1982 IN BOOK 18 C
552944 R
OF THE SOUTHWEST
KITITAS COUNTY, W

PARCEL E-2

PARCEL E-2 OF THAT CERTAIN SURVEY AS RECORDED SEPTEMBER 23, 1962 IN BOOK 18
OF SURVEYS AT PAGE(S) 229 UNDER AUDITOR'S FILE NO. 35244, RECORDS
OF KITTITAS COUNTY, WASHINGTON, BEING A PORTION OF THE SOUTHWEST QUARTER OF
SECTION 28, TOWNSHIP 26 NORTH, RANGE 16 EAST, W.W. KITTITAS COUNTY, WASHINGTON

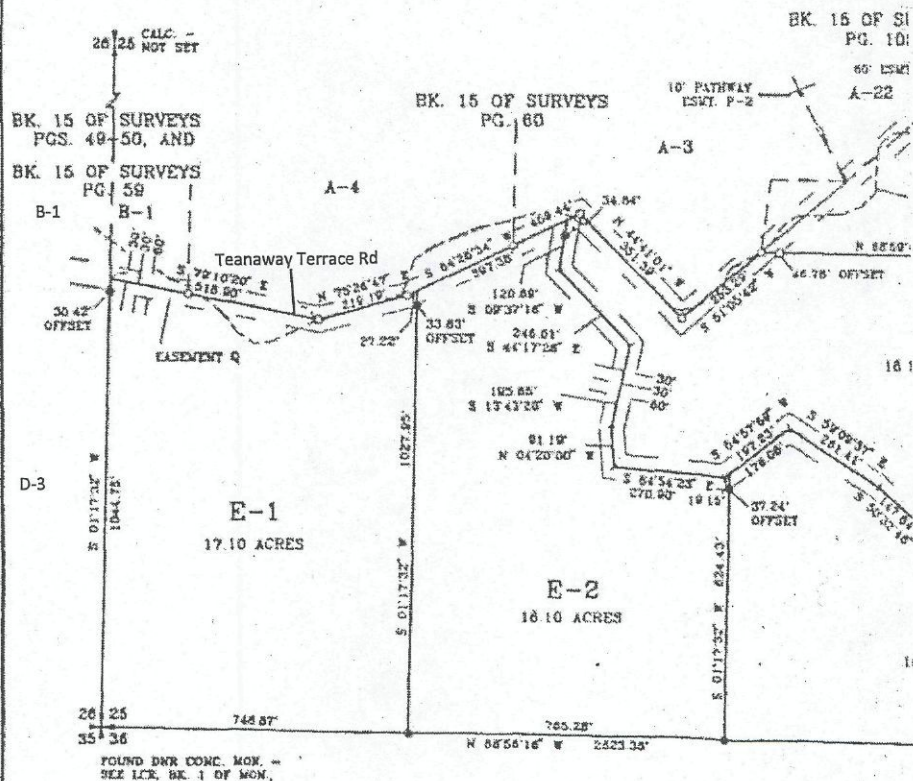
ORIGINAL PARCEL -

PARCEL 2-3

PARCEL E-3 OF THAT CERTAIN SURVEY AS RECORDED SEPTEMBER 23, 1962 IN BOOK 18
OF SURVEYS AT PAGE(S) 229 UNDER AUDITOR'S FILE NO. 5-29-44 RECORDS
OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE SOUTHWEST QUARTER OF
SECTION 26, TOWNSHIP 20 NORTH, RANGE 14 EAST, W.M., KITTITAS COUNTY, WASHINGTON.

PARCEL E-4

PARCEL 2-4 OF THAT CERTAIN SURVEY AS RECORDED SEPTEMBER 23, 1992 IN BOOK 18 OF SURVEYS AT PAGE(S) 224 UNDER AUDITOR'S FILE NO. 15294 RECORDS OF KITTITAS COUNTY, WASHINGTON; BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 20 NORTH, RANGE 16 EAST, W.M., KITTITAS COUNTY, WASHINGTON



Filed for Record at Request of:
SHALLBETTER LAW
3201 Airport Road
Cle Elum, WA 98922

DOCUMENT: Declaration of Restrictive Covenant for Water Conservation

DECLARANT: MARK C. and L. JANE RATTRAY

LEGAL DESCRIPTION: Ptn of SE 1/4 of S26, T20N, R16E, and a Ptn of the SW 1/4 of S25, T20N, R16E, W.M., Kittitas County, Washington.

PARCEL NUMBERS: 528536, 121136, 194935

This Declaration of Restrictive Covenant is imposed by MARK C. and L. JANE RATTRAY, husband and wife, as owners of the real property legally described as:

Approximately 8.12 acres in SE 1/4 of Section 26, T20N, R16E, W.M., being a portion of Parcel B-1 of that certain survey recorded June 15, 1987 under Auditor's File 505157, Kittitas County, Washington ("Lot B-1").

Approximately 10.75 acres in SE 1/4 of Section 26, T20N, R16E, W.M., Parcel D-3 of Survey recorded September 25, 1992 in Book 18 of Surveys at Page 233, under Auditor's File No. 553067, Kittitas County, Washington ("Lot D-3"); and

Approximately 17.1 acres in SW 1/4 of Section 25, T20N, R16E, W.M., being Parcel E-1 of that survey recorded September 23, 1992, under Auditor's File Number 552984, Book 18, Page 229, Kittitas County, Washington. ("Lot E-1").

Lots B-1, D-3, and E-1 are hereinafter referred to, collectively, as the "Property."

For purposes of conserving water and preventing damage to the septic area, no trees or shrubs shall be located or permitted to grow on or over that portion of the Property, if any, which is used for or associated with a septic drainfield. This restrictive covenant shall be appurtenant to the Property and shall not be amended or removed without the express written consent of the Washington State Department of Ecology.

Executed this 22nd day of September, 2012.

DECLARANTS:

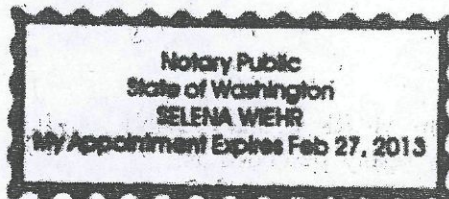
MARK C. and L. JANE RATTRAY

[Signature]
L Jane Rattray

STATE OF WASHINGTON)
) ss.
COUNTY OF Snohomish)

On this day personally appeared before me the undersigned, a notary public in and for the State of Washington, duly commissioned and sworn, MARK C. RATTRAY and L. JANE RATTRAY, to me known or proved to me on the basis of satisfactory evidence to be the individual(s) that executed the foregoing instrument acknowledged the same instrument to be his/her free and voluntary act and deed for the uses and purposes therein mentioned, and on oath stated that he is authorized to execute the said instrument.

Witness my hand and official seal hereto affixed this 22 day of September, 2012.



[Signature]
Signature of Notary
Selena Wiehr
(Print name)

Notary public in and for the state of Washington
residing at Mukilteo
My commission expires Feb 27 2013

336055

WATER WELL REPORT

Start Card No. 145895
Unique Well I.D. # ABW016
Water Right Permit No.

STATE OF WASHINGTON

(1) OWNER: Name RATTAY, MARK		Address 7403 169TH PLACE S.W. EDMONDS, WA 98026-	
(2) LOCATION OF WELL: County KITTITAS		- SW 1/4 SW 1/4 Sec 25 T 20 N. R 16 W	
(2a) STREET ADDRESS OF WELL (or nearest address)			
(3) PROPOSED USE: DOMESTIC		(10) WELL LOG	
(4) TYPE OF WORK:	Owner's Number of well (If more than one) 1 Method: ROTARY	Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change in formation.	
NEW WELL			
(5) DIMENSIONS:	Diameter of well 6 inches Drilled 118 ft. Depth of completed well 118 ft.		
(6) CONSTRUCTION DETAILS:	Casing installed: 6 " Dia. from 42 ft. to 116 ft. WELDED " Dia. from ft. to ft. " Dia. from ft. to ft.	MATERIAL FROM TO TOPSOIL 0 2 BROWN CLAY 2 7 GRAVEL COBBLES Boulders 7 30 BROWN CLAY 30 35 BLUE SHALE 35 48 SAND GRAVEL 48 94 BROWN CLAY GRAVEL 94 104 SAND WITH WATER 104 108 GRAVEL SAND 108 118	
Perforations: NO Type of perforator used SIZE of perforations in. by in. perforations from ft. to ft. perforations from ft. to ft. perforations from ft. to ft.			
Screens: NO Manufacturer's Name Type Diam. slot size Model No. Diam. slot size from ft. to ft. Diam. slot size from ft. to ft.			
Gravel packed: NO Gravel placed from ft. to ft. Size of gravel ft.			
Surface seal: YES Material used in seal BENTONITE Did any strata contain unusable water? NO Type of water? Depth of strata ft. Method of sealing strata off OVERBORE			
(7) PUMP: Manufacturer's Name Type H.P.			
(8) WATER LEVELS:			
Land-surface elevation above mean sea level ... ft. Static level 80 ft. below top of well Date 09/12/94 Artesian Pressure lbs. per square inch Date Artesian water controlled by			
(9) WELL TESTS: Drawdown is amount water level is lowered below static level. Was a pump test made? NO If yes, by whom? Yield: gal./min with ft. drawdown after hrs. Recovery data Time Water Level Time Water Level Time Water Level		WELL CONSTRUCTOR CERTIFICATION: I constructed and/or accept responsibility for construction of this well, and its compliance with all Washington well construction standards. Materials used and the information reported above are true to my best knowledge and belief. NAME PONDEROSA DRILLING (Person, firm, or corporation) (Type or print) ADDRESS E 1010 BROADWAY (SIGNED) <i>[Signature]</i> License No. 2154 Contractor's Registration No. PO-ND-EI-248JE Date 09/16/94	
Date of test / / Bailer test gal./min. ft. drawdown after hrs. Air test 4 gal./min. w/ steel set at 115 ft. for 1 hrs. Artesian flow g.p.m. Date Temperature of water Has a chemical analysis made? NO			

RECEIVED
SEP 23 1994

The Department of Ecology does NOT Warranty the Data and/or the Information on this Well Report.